

IN THE UNITED STATES FOR THE

MIDDLE DISTRICT OF ALABAMA

NORTHERN DIVISION

2006 DEC 13 A 10:43

Courtney Boyd
Plaintiff

Vs.

Dr.Darbouze, et.al.,
Defendants

CLARA P. HACKETT
U.S. DISTRICT COURT
MIDDLE DISTRICT ALA.

2:06

Case No:CV-511-WKW

MOTION TO COMPEL

FOR GOOD CAUSE SHOW/ OBJECTION TO

THE COURT ORDER ON 12/5/06:

Comes Now, The Plaintiff, Courtney Boyd, moves into this Honorable Court for good cause shown and to object the court court on 12-5-06. Pursuant to 37 Fed.R.Civ.Proc. The Plaintiff submit the following in support:

1. The Plaintiff was given three medical profile at Staton Corr.Fac. see (Court Doc. 40). The Plaintiff was transfered back to Easterling Corr.Fac. on Oct.4,2006. At that time the nurse said that he would have to see Dr.Darbouze for his medical Profile. The Plaintiff never seen Dr.Darbouze, but he did write this Honorable Court an Response to the plaintiff first motion to compel, saying that he seen the plaintiff on Oct.17,2006. However he never did. This Hon.Court by order the lock duty log for that day to see that the plaintiff never want to see any Doctor.

Dr.Darbouze said that it was against his medical judgment for the plaintiff have these profiles. He even got the Doctor at Staton to say that he does not disagree with Dr.Darbouze if he take away the plaintiff medical profiles. But the Affidavit was done in bad faith, so that this Honorable Court will taken away the plaintiff that he need.

2. The Plaintiff submit to this Honorable Court a copy of his medical

records which shows that the plaintiff was on a double tray profile before, and that he was on them, because he was losing his wt. Exhibit A. The Plaintiff Submit of another Doctor order for him an back brace. See Exhibit A. The plaintiff has been very sick since this Honorable Court has taken his double tray profile, and Dr.Darbouze did not send the plaintiff anything showing him, why he did not want him to have these profiles.

3. The Plaintiff was sent to a free world Doctor, because he had gotten sick from eating some meat at Bibb Co.Corr.Fac., and that when the Doctor put him on his double tray profile, and because he was losing his wt. The back brace was given because he was assaulted by DOC on June 30,2003, by Dr.Long at Bibb Co.Corr.Fac., So you can these profiles has been with the plaintiff for over three years. The only reason that Dr.Darbouze do not want the plaintiff to have these profile, is because these are the profiles inwhich he suit him for.

4. The Plaintiff files an objection to the order on DEC.12 06. this Honorable Court has been lie to. The Plaintiff filed two Motion for Production of Documents one on July 26, and the other was on August 3,06. (Court Doc. NO. 15/16 and Court Doc. 19/20). Well this Honorable Court order on the Motion for Production of Documents sent to Officer J.Whitehead, but never ruled on the one filed on July 26,06. This Honorable Court said on August 4,2006, "The Motions for production of Documents be and hereby DENIED to the extent that the plaintiff requests that the defendants be required to provide him with copies of the requested document. The Motion for Production of Documents filed on July 26,06, is the first Motion filed.

Pursuant to Rule 26 Fed.R.Civ.Proc. the plaintiff may request one Discovery request without the permission. This is what the plaintiff wants by, but never received it from the defendants. These documents are very much needed in this case.

5. The Plaintiff prays that this Honorable Court will grant this motion and order the Defendants to give him his medical profiles back, and to give him the thing requested on July 26, 06.

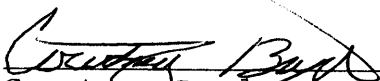
I hereby do swear that the following is true and correct to the best of my knowledge. Pursuant to 28 USC. Section 1746, I, Courtney Boyd, do hereby sign under the penalty of perjury that the foregoing is true and correct.

Executed on: 12-12-06


Courtney Boyd

CERTIFICATE OF SERVICE

I hereby certify that I have served a copy of the foregoing upon the Defendant Counsel, by placing it into the Easterling Corr.Fac. Mail Box on: 12-12-06


Courtney Boyd